

MINUTES
Regular Meeting of the College Park City Council
Tuesday, October 13, 2015
Council Chambers
7:30 p.m. – 8:05 p.m.

PRESENT: Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Stulich (arrived at 7:36 p.m.), Day, Hew and Mitchell.

ABSENT: None.

ALSO PRESENT: Scott Somers, City Manager; Bill Gardiner, Acting City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Bob Stumpff, Director of Public Works; Cole Holocker, Student Liaison; Adler Pruitt, Deputy Student Liaison.

Mayor Fellows opened the Regular Meeting at 7:30 p.m. Councilmember Dennis led the Pledge of Allegiance.

Minutes: A motion was made by Councilmember Dennis and seconded by Councilmember Wojahn to adopt the minutes of the Special Session on September 15, 2015, the Regular Meeting on September 22, 2015, and the Special Session after Regular Meeting on September 22, 2015. The motion passed 7 – 0 – 0.

Announcements:

Councilmember Brennan said the Berwyn District Civic Association will host a candidates' night at their meeting on Thursday at 8:00 p.m. at Fealy Hall.

Councilmember Dennis added that the meeting on Thursday is a joint meeting between the Lakeland Civic Association and the Berwyn Civic Association.

Councilmember Day said on Saturday, October 17 there will be a wetland clean-up project at the Tot Lot in Old Town.

Councilmember Hew said on Friday, October 16 there will be a District 4 candidates' forum at the College Park Woods Pool at 7:00 p.m.

Councilmember Mitchell said that Autoville Drive residents want to thank Public Works staff for helping them out with trash pick-up during the construction at the Chinese Bible Church.

Amendments to the Agenda: Mr. Somers said we will be removing item 15-G-109, the easement between the City of College Park and the property owner of 4801 Berwyn Road for the Berwyn Sign, since it is not necessary. As a result of that change, item 15-G-108 is being amended accordingly.

City Manager's Report: Mr. Somers discussed today's inaugural edition of the City Manager's Weekly Bulletin, and described its distribution. He said Mayor and Council have a calendar conflict – the date of the December Council meeting and swearing-in conflicts with the date of the PGCMA legislative dinner – and asked what Council wanted to do.

A motion was made by Councilmember Mitchell and seconded by Councilmember Day to change the day of the December Regular Meeting and Council swearing-in to Monday, December 7. The motion passed 8 – 0 – 0.

Student Liaison's Report: Mr. Holocker said basketball season begins this weekend and reported on a free Magic Maryland Madness event which begins on Saturday at 4:00 p.m. The third SGA City Affairs meeting is at City Hall on Monday at 5:00 p.m.

Comments From The Audience on Non-Agenda Items:

James Mulholland, 7411 Columbia Avenue: He updated Council on the Phi Kappa Psi fraternity's community outreach efforts. They can be reached at PhiPsiUMD.com

Sarah Jazs, Recreation Board member: She discussed the line-up at the 8th annual College Park Blues Festival at Ritchie Coliseum on Saturday, November 14 from 6 – 11:30 p.m.

CONSENT AGENDA: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adopt the Consent Agenda, which consisted of the following items:

- 15-R-19 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Appeal Number CEO-2015-01, 5007 Quebec Street, College Park, Maryland, And Granting Approval Of Variances From The Following Requirements: Prince George's County Zoning Ordinance, Section 27-420(A), City Code §87-23 B.C., And F. To Permit The Reconstruction Of A 6-Foot High, Board-On-Board Fence Within The Front Yard**
- 15-R-20 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2015-05, 4903 Laguna Road, College Park, Maryland, Recommending Approval Of A Variance From Section 27-120.01(C) Of The Prince George's County Zoning Ordinance, "Front Yards Of Dwellings," To Construct A Driveway Addition In The Front Yard, 13 Feet In Width By 26.04 Feet In Length**

The motion passed 8 – 0 – 0.

ACTION ITEMS:

15-G-108 Approval of a letter to the Berwyn District Civic Association in response to their August 20, 2015 letter donating the Berwyn Sign to the City

A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to approve acceptance by the City of a donation of a mosaic sign from the Berwyn District Civic Association (“BDCA”), and to authorize that the sign be installed and maintained by the City under certain conditions. The conditions are included in the attached letter to the BDCA, which is hereby approved.

Councilmember Brennan said the BDCA commissioned a mosaic sign that it wishes to place at the entrance to the Berwyn Neighborhood and seeks to donate this sign to the City for installation and maintenance. The letter from the BDCA requesting that the City accept the sign and arrange for installation was considered at a Worksession on October 6. The preferred placement for the sign is at the corner of 48th Avenue and Berwyn Road, in the City right-of-way adjacent to the property located at 4801 Berwyn Road. The Mayor and Council have agreed to accept the donation, and to install and maintain the sign, on certain conditions, which are included in the letter to BDCA.

There were no comments from the audience.

Councilmember Brennan thanked the BDCA, and Sandra Tyler, a long-time Berwyn resident.

The motion passed 8 – 0 – 0.

15-G-110 Approval of a City position for the Board of License Commissioners Show-Cause Hearing for the July 31 incident at Backyard Sports Grill

A motion was made by Councilmember Day and seconded by Councilmember Stullich that the Council adopt a letter to the Board of License Commissioners for Prince George’s County (“BOLC”) in substantially the form attached, to present the City’s position with respect to the Show Cause Hearing to be held by the Board on issues of whether Backyard Sports Grill has complied with the Security Plan and use of promoter restrictions. The letter supports strict enforcement of the Security Plan, and requests that the BOLC require two off-duty certified police officers with jurisdiction to be present on-site during any entertainment event, emphasize that the use of promoters is prohibited, impose a fine, and take any other action designed to ensure that lapses in security do not recur. City staff is authorized to appear at the Show Cause Hearing to present the City’s position.

Councilmember Day said that on July 31, 2015, an incident occurred adjacent to the Backyard Sports Grill that involved an assault and the gathering of a large crowd in the early morning hours. As part of its investigation of this incident, Prince George’s County police officers determined that an off-duty police officer with jurisdiction was not working security at Backyard Sports grill, as required by the BOLC-approved security plan, and that a promoter was involved in the entertainment. This was a violation of BOLC rules and also the Property Use Agreement between the City and Backyard Sports Grill. The Mayor and City Council met with the owner of Backyard Sports Grill to notify him of the concerns that are expressed in the attached letter and

to emphasize the importance of complying with BOLC requirements and the Property Use Agreement. The BOLC has scheduled a show cause hearing concerning this incident, based on a request from the Prince George's County Police, who were called to the scene and are also tracking the promotion of events at the premises on social media. The Mayor and Council will continue to monitor this establishment and to support the BOLC and the police in their efforts to protect the public health and safety.

Ms. Ferguson said the applicant has requested a continuance and it is likely the hearing will be held in November; she requested authorization to change the date in the letter once it is determined.

There were no comments from the audience.

Councilmember Dennis pointed out an extra word in Paragraph 2 of the letter: delete the word "to" before the word "owners."

The motion passed 8 – 0 – 0.

15-G-111 Approval of a letter to the Secretary of the Maryland Department of Transportation with City comments on the MDOT Draft 2016 – 2021 Consolidated Transportation Plan

A motion was made by Councilmember Kabir and seconded by Councilmember Wojahn to send a letter to the Secretary of the Maryland Department of Transportation with the City's comments on the Draft 2016-2021 Consolidated Transportation Plan.

Councilmember Kabir said the Consolidated Transportation Plan or CTP is the State's six-year capital investment program for transportation. Projects of interest to the City include the reconstruction of Route 1 between College Avenue and MD 193, a new interchange from the capital beltway to serve Greenbelt Station and a new project that will improve safety at the I-495 and Route 1 interchange. The annual fall CTP meeting for public officials in Prince George's County will be held on October 22, 2015 at 2:00 pm at the County Administration Building.

There were no comments from the audience or the Council.

The motion passed 8 – 0 – 0.

15-G-112 Appointments to Boards and Committees

A motion was made by Councilmember Wojahn and seconded by Councilmember Day to reappoint Sarah Araghi to the Recreation Board and Aaron Springer to the Neighborhood Quality of Life Committee. The motion passed 8 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Dennis asked about the public information we are providing on our website about the new electronic voting machines we will be using on November 3. The City Clerk said this information is currently being developed and will be posted soon, and updated the Council on the ExpressVote machines that will be utilized this year.

COMMENTS FROM THE AUDIENCE: None.

ADJOURN: A motion was made by Councilmember Stulich and seconded by Councilmember Day to adjourn the meeting and with a vote of 8 – 0 – 0, Mayor Fellows adjourned the meeting at 8:05 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved